# HOUSE BILL NO. 365

# INTRODUCED BY HARRINGTON, HANNAH, BISHOP, GIACOMETTO, ADDY, KADAS, BECK

# IN THE HOUSE

- JANUARY 23, 1989 INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION.
- JANUARY 24, 1989 FIRST READING.

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- FEBRUARY 7, 1989 COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
- FEBRUARY 8, 1989 PRINTING REPORT.
- FEBRUARY 9, 1989 SECOND READING, DO PASS.
- FEBRUARY 10, 1989 ENGROSSING REPORT.
- FEBRUARY 11, 1989 THIRD READING, PASSED. AYES, 85; NOES, 6.

TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 13, 1989 INT

INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION.

FIRST READING.

MARCH 9, 1989 COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.

MARCH 10, 1989 SECOND READING, CONCURRED IN.

MARCH 13, 1989 THIRD READING, CONCURRED IN. AYES, 44; NOES, 5.

RETURNED TO HOUSE.

IN THE HOUSE

MARCH 14, 1989 RECEIVED FROM SENATE.

SENT TO ENROLLING. REPORTED CORRECTLY ENROLLED.

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LC 1317/01

Huse BILL NO. 365 1 taninolog 45 S INTRODUCED BY ~ 2 sorante loay 3 A BILL FOR AN ACT ENTITLED: 4 "AN ACT TO EXTEND TO ALL COUNTIES THE AUTHORITY FOR THE BOARD OF COUNTY COMMISSIONERS 5 6 TO AWARD SEPARATE PRINTING CONTRACTS FOR PUBLICATIONS AND 7 FOR PRINTED MATERIALS; AND AMENDING SECTION 7-5-2411, MCA." 8 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 10 Section 1. Section 7-5-2411, MCA, is amended to read: 11 \*7-5-2411. County printing contract. (1) Except--as 12 provided--in--subsection--(2),--the The county commissioners 13 shall contract with-one-newspaper-to-do for all the printing for the county, including advertising required by law and 14 15 all printed forms required by the county, at a rate not 16 exceeding that set by the board. The advertising required by 17 law shall be awarded to a newspaper shall-be-one that:

18 (a) is published in the county and-of;

(b) has general bona fide and paid circulation with
 the second-class mailing privilege; and

(c) has been published continuously as-such for at
 least once a week in the county for the 12 months preceding
 the awarding of the contract.

(2) (a) In--any--county-in-which-no-newspaper-owns-or
 operates-a-commercial--printing--establishmenty--the--county

ana Legislative Council

commissioners--shall-and-in-counties-of-the-first-class;-the 1 The county commissioners may separate the printing contract 2 two parts, one of which shall provide for the 3 into publication of legal advertising only, such The legal 4 5 advertising contract being shall be let to a legally 6 qualified newspaper, and--the The other contract shall 7 provide for all printed forms, materials, and supplies 8 required by the county.

.9 (b) The contract for printed forms, materials, and
 10 supplies referred to in subsection (2)(a) or one-separated
 11 under subsection (2)(c) shall be let:

12 (i) to a commercial printing establishment or 13 establishments, as the case may be, which shall-have has 14 been in business in the county for at least 1 year and whose 15 competitive bid is not more than 5% higher than that of the 16 lowest responsible commercial printing establishment bidder 17 doing business outside the county; or

18 (ii) if no establishment qualifies under subsection
19 (2)(b)(i), to the lowest responsible commercial printing
20 establishment bidder.

(c) The-board-of-county-commissioners-for-counties--of
 the--first--class-may-award-separate-contracts Contracts for
 printed forms, materials, and supplies required--by--the
 counties-The-separate-contracts may be awarded on an annual
 basis or may be awarded for a specific printing job.

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# LC 1317/01

(3) In--no--case-shall-any A contract may not call for
 payment by the county of any prices in excess of the maximum
 fixed by the board of county printing.

4 (4) Nothing in this part shall limit or restrict the 5 power of a board of county commissioners to call for 6 competitive bids from persons or firms qualified to bid on 7 county printing under the terms of this part or to let 8 contracts at prices less than the maximum fixed by the board 9 of county printing."

-End-

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LC 1317/01

# DQ 101770

APPROVED BY COMMITTEE

# ON STATE ADMINISTRATION

5 COUNTIES THE AUTHORITY FOR THE BOARD OF COUNTY COMMISSIONERS
6 TO AWARD SEPARATE PRINTING CONTRACTS FOR PUBLICATIONS AND
7 FOR PRINTED MATERIALS; AND AMENDING SECTION 7-5-2411, MCA."
8

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 7-5-2411, MCA, is amended to read: "7-5-2411. County printing contract. (1) Except--as 11 provided--in--subsection--f2);--the The county commissioners 12 13 shall contract with-one-newspaper-to-do for all the printing for the county, including advertising required by law and 14 all printed forms required by the county, at a rate not 15 exceeding that set by the board. The advertising required by 16 17 law shall be awarded to a newspaper shall-be-one that:

18 (a) is published in the county and-of;

19 (b) has general bona fide and paid circulation with
20 the second-class mailing privilege; and

(c) has been published continuously as-such for at
 least once a week in the county for the 12 months preceding
 the awarding of the contract.

(2) (a) In--any--county--in-which-no-newspaper-owns-or
 operates-a-commercial--printing--establishment7--the--county

Montana Legislative Council

1 commissioners--shall-and-in-counties-of-the-first-class--the 2 The county commissioners may separate the printing contract 3 into two parts, one of which shall provide for the 4 publication of legal advertising only, such The legal advertising contract being shall be let to a legally 5 6 qualified newspaper, and-the The other contract shall 7 provide for all printed forms, materials, and supplies 8 required by the county.

.9 (b) The contract for printed forms, materials, and
10 supplies referred to in subsection (2)(a) or one-separated
11 under subsection (2)(c) shall be let:

12 (i) to a commercial printing establishment or 13 establishments, as the case may be, which shall-have has 14 been in business in the county for at least 1 year and whose 15 competitive bid is not more than 5% higher than that of the 16 lowest responsible commercial printing establishment bidder 17 doing business outside the county; or

18 (ii) if no establishment qualifies under subsection 19 (2)(b)(i), to the lowest responsible commercial printing 20 establishment bidder.

21 (c) The-board-of-county-commissioners-for-counties--of

- 22 the--first--class-may-award-separate-contracts <u>Contracts</u> for
- 23 printed forms, materials, and supplies required--by--the
- 24 counties--The-separate-contracts may be awarded on an annual
- 25 basis or may be awarded for a specific printing job.

SECOND READING -2-HB 365

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(3) In--no--case-shall-any A contract may not call for
 payment by the county of any prices in excess of the maximum
 fixed by the board of county printing.

4 (4) Nothing in this part shall limit or restrict the 5 power of a board of county commissioners to call for 6 competitive bids from persons or firms qualified to bid on 7 county printing under the terms of this part or to let 8 contracts at prices less than the maximum fixed by the board 9 of county printing."

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commissioners--shall-and-in-counties-of-the-first-class7-the 1 2 The county commissioners may separate the printing contract into two parts, one of which shall provide for the 3 Δ publication of legal advertising only7. such The legal 5 advertising contract being shall be let to a legally gualified newspaper, and-the The other contract shall б provide for all printed forms, materials, and supplies 7 8 required by the county. (b) The contract for printed forms, materials, and .9 10 supplies referred to in subsection (2)(a) or one-separated 11 under subsection (2)(c) shall be let: 12 (i) to a commercial printing establishment or 13 establishments, as the case may be, which shall-have has been in business in the county for at least 1 year and whose 14 competitive bid is not more than 5% higher than that of the 15 16 lowest responsible commercial printing establishment bidder 17 doing business outside the county; or (ii) if no establishment qualifies under subsection 18 19 (2)(b)(i), to the lowest responsible commercial printing 20 establishment bidder. 21 (c) The-board-of-county-commissioners-for-counties--of 22 the--first--class-may-award-separate-contracts Contracts for 23 printed forms, materials, and supplies required--by--the 24 counties -- The-separate-contracts may be awarded on an annual basis or may be awarded for a specific printing job. 25

 $-2^{-2}$  THIRD READING HB365

### LC 1317/01

(3) In--no--case-shall-any A contract may not call for
 payment by the county of any prices in excess of the maximum
 fixed by the board of county printing.

4 (4) Nothing in this part shall limit or restrict the 5 power of a board of county commissioners to call for 6 competitive bids from persons or firms qualified to bid on 7 county printing under the terms of this part or to let 8 contracts at prices less than the maximum fixed by the board 9 of county printing."

-End-

HB 0365/02

1	HOUSE BILL NO. 365	1	operates-a-commercialprintingestablishment,thecounty
2	INTRODUCED BY HARRINGTON, HANNAH, BISHOP,	- 2	commissionersshall-and-in-counties-of-the-first-class; the
- 3	GIACOMETTO, ADDY, KADAS, BECK	2	The county commissioners may separate the printing contract
4	GIRCOMETTO, RUDI, RADRO, BECK	_	
-		4	into two parts, one of which shall provide for the
5	A BILL FOR AN ACT ENTITLED: "AN ACT TO EXTEND TO ALL	5	publication of legal advertising only7. such The legal
6	COUNTIES THE AUTHORITY FOR THE BOARD OF COUNTY COMMISSIONERS	6	<u>advertising</u> contract being <u>shall be</u> let to a legally
7	TO AWARD SEPARATE PRINTING CONTRACTS FOR PUBLICATIONS AND	7	qualified newspaper7. andthe <u>The</u> other contract shall
8	FOR PRINTED MATERIALS; AND AMENDING SECTION 7-5-2411, MCA."	8	provide for all printed forms, materials, and supplies
9		9	required by the county.
10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	10	(b) The contract for printed forms, materials, and
11	Section 1. Section 7-5-2411, MCA, is amended to read:	11	supplies referred to in subsection (2)(a) or one-separated
12	"7-5-2411. County printing contract. (1) Exceptas	12	under subsection (2)(c) shall be let:
13	providedinsubsection(2);the The county commissioners	13	<ul><li>(i) to a commercial printing establishment or</li></ul>
14	shall contract with-one-newspaper-to-do for all the printing	14	establishments, as the case may be, which shall-have has
15	for the county, including advertising required by law and	15	been in business in the county for at least 1 year and whose
16	all printed forms required by the county, at a rate not	16	competitive bid is not more than 5% higher than that of the
17	exceeding that set by the board. The advertising required by	17	lowest responsible commercial printing establishment bidder
18	law shall be awarded to a newspaper shall-be-one that:	18	doing business outside the county; or
19	(a) is published in the county and-of;	19	(ii) if no establishment qualifies under subsection
20	(b) has general bona fide and paid circulation with	20	(2)(b)(i), to the lowest responsible commercial printing
21	the second-class mailing privilege; and	21	establishment bidder.
22	(c) has been published continuously as-such for at	22	(c) The-board-of-county-commissioners-for-countiesof
23	least once a week in the county for the 12 months preceding	23	thefirstelass-may-award-separate-contracts Contracts for
24	the awarding of the contract.	24	printed forms, materials, and supplies requiredbythe
25	(2) (a) <del>in-anycountyin-which-no-newspaper-owns</del> -or	25	countiesThe-separate-contracts may be awarded on an annual
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### HB 0365/02

1 basis or may be awarded for a specific printing job.

2 (3) in--no--case-shall-any A contract may not call for
3 payment by the county of any prices in excess of the maximum
4 fixed by the board of county printing.

5 (4) Nothing in this part shall limit or restrict the 6 power of a board of county commissioners to call for 7 competitive bids from persons or firms gualified to bid on 8 county printing under the terms of this part or to let 9 contracts at prices less than the maximum fixed by the board 10 of county printing."

-End-

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